

NOV 16 2005 10:40 FROM Merchant & Gould

RECEIVED  
CENTRAL FAX CENTER 6123329081

T-062 P.003/003 F-828

S/N 09/888,264

NOV 16 2005

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: ADAMS ET AL.

Examiner: J. ANGELL

Serial No.: 09/888,264

Group Art Unit: 1635

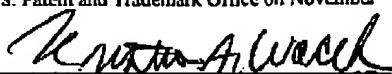
Filed: JUNE 22, 2001

Docket No.: 11669.187USU1

Title: CONTROL OF METABOLISM WITH HUMAN 2-OXOGLUTARATE CARRIER

CERTIFICATE UNDER 37 CFR 1.6(d):

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on November 16, 2005.

By:   
Name: Kristine A. Wacek

NOTICE OF APPEAL FROM THE EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

23552  
PATENT TRADEMARK OFFICE

Sir:

In accordance with 37 C.F.R. § 40.31, Applicants hereby appeal to the Board of Patent Appeals and Interferences from the final rejection of claims 1, 28, 34-38, 41, 43, 46, 52, 53 and 74-78 of the above-identified application, as set forth in the Office Action mailed July 26, 2005.

Please charge Deposit Account No. 13-2725 in the amount of \$500.00 to cover the required fee for filing this Notice of Appeal as set forth under 37 C.F.R. § 41.20(b)(1).

Also enclosed is a Petition for one-month extension of time to respond to the final rejection, thereby extending said period of response from October 26, 2005 to November 26, 2005.

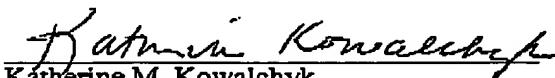
Please charge any additional fees or credit any overpayment to Merchant & Gould P.C., Deposit Account No. 13-2725.

Respectfully submitted,

MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, Minnesota 55402-0903  
(612) 332-5300

11/17/2005 EAREGAY1 00000043 132725 09888264  
02 FC:1401 500.00 DA

Date: November 16, 2005

  
Katherine M. Kowalchyk  
Reg. No. 36,848  
KMK:PLSkaw